

REMARKS

Applicant respectfully requests reconsideration of this application as amended. No claims have been amended or cancelled. Therefore, claims 1-30 now are presented for examination.

35 U.S.C. § 102 Rejection

Claims 1-30 stand rejected under 35 U.S.C. §102(e) as being anticipated by Lara et al., U.S. Pub No. 2003/0041094A1 (“Lara”).

Lara discloses “managing multiple web server, and more particularly to a web service system that allows a system operator to distribute content to each web server in the web service system” (page 1, paragraph 2). Lara further discloses identifying changes and storing the changes in “a modification list”, which is then “transmitted to an agent having access to a destination file system” where the changes are replicated (page 1, paragraph 9). Lara also discloses monitoring of “specific events”, which include “predictions or thresholds that indicate impending system problems” (page 2, paragraph 28). The “information about the system operation” is then presented to “a system operator” where “content replication with version control and data updates” is managed (col. 2, paragraph 28). Stated differently, at best, Lara discloses identifying information and providing such information to the system operator to replicate the identified information.

In contrast, claim 1, in pertinent part, recites “generating a preferred list of edge sites from a plurality of edge sites upon receiving a media content request from a client; providing the preferred list to the client; requesting the media content by accessing a first edge site . . . providing the media content from the first edge site . . . monitoring the

providing of the media content . . . requesting the media content by accessing a second edge site from the preferred list when encountering the disturbance . . . providing the media content from the second edge site to the client” (emphasis provided). Lara does not teach or reasonably suggest generating a preferred list in response to receiving a media content request and providing the preferred list to the client, requesting the media content by accessing a first edge site and requesting the media content by accessing a second edge site when encountering the disturbance, as recited by claim 1. Accordingly, for at least the reasons set forth above, Applicant respectfully requests the withdrawal of the rejection of claim 1 and its dependent claims.

Claims 11, 14, 17, 20 and 24 contain one or more limitations similar to those of claim 1. Accordingly, Applicant respectfully requests the withdrawal of the rejection of claims 11, 14, 17, 20 and 24 and their dependent claims.

Conclusion

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicant respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

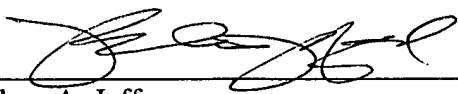
Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: December 15, 2004


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